S.B.Cr.Misc. Bail App. No. 4429/2007

(Mohar Singh Vs. State of Rajasthan)

Date of order : 07/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. G.R.Bhari for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers. I have also gone through the statement of prosecutrix.

There is no allegation of rape against the present petitioner.

It is contended by learned counsel for the petitioner that similarly situated co-accused Mahendra Singh has been granted bail.

Having perused the statement of the prosecutrix wherein she alleged that she was subjected to forcible sexual intercourse by Indrapal and there being no allegation of rape against the present petitioner, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Mohar Singh S/o Sheochand be released on bail in FIR No. 389/2007 P.S. Nohar, district Hanumangarh, provided he executes a personal bond for a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.

10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP